

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

IN RE: '318 PATENT) C.A. No. 05-356-SLR
INFRINGEMENT LITIGATION) (consolidated)

STIPULATED ORDER

IT IS HEREBY STIPULATED AND AGREED, subject to the approval and Order of the Court, that the January 12, 2006 revised scheduling order (D.I. 81), as subsequently amended, is hereby further amended to add the new paragraph set forth below (consistent with the standard scheduling order of the Honorable Sue L. Robinson, to whom this case is now assigned), but otherwise shall remain unchanged:

4.g. **Fact Witnesses to be Called at Trial.** On or before February 2, 2007, each party shall serve on the other parties a list of all fact witnesses (including any expert witness who also is expected to give fact testimony) who previously have been disclosed during discovery and who it intends to call at trial. On or before March 2, 2007, each party shall serve a list of all rebuttal fact witnesses who it intends to call at trial. The parties shall have the right to depose any such fact witnesses who have not previously been deposed in this case. Such depositions shall be completed on or before March 30, 2007, and shall be limited to twenty (20) hours per side in the aggregate unless extended by agreement of the parties or upon order of the Court for good cause shown.

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SO ORDERED this _____ day of _____, 2007.

Chief Judge